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Attorneys For Defendants  
COMCAST OF CALIFORNIA/COLORADO/WASHINGTON I, INC.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

MATTHEW JOHNSON, On Behalf Of Himself  
And All Others Similarly Situated,

Plaintiff,

vs.

COMCAST OF CALIFORNIA/  
COLORADO/WASHINGTON I, INC.

Defendant.

CIVIL ACTION NO. 3:10-CV-04147 JSW

**JOINT STATUS UPDATE OF RELATED  
STATE COURT LITIGATION**

Courtroom: 11 – 19<sup>th</sup> Floor  
Judge: Jeffrey S. White

1 Pursuant to this Court's January 6, 2011 Order granting Defendant Comcast of  
2 California/Colorado/Washington I, Inc.'s ("Comcast" or "Defendant") Motion to Stay, Plaintiff  
3 Matthew Johnson ("Plaintiff") and Comcast hereby submit the following Joint Status Update Regarding  
4 the Related State Court Litigation, which is based upon the representations of Defendant regarding the  
5 state court proceedings.

6 **STATUS OF STATE COURT LITIGATION**

7 The matter of *Fayerweather v. Comcast Corporation and Comcast of Contra Costa, Inc.*,  
8 currently pending in the Superior Court of California in and for Contra Costa County as Case  
9 No. C-08-01470, continues to move towards trial. The opt-out period for the class ended on June  
10 27, 2011.

11 On April 12, 2012, the California Supreme Court issued its decision in *Brinker*  
12 *Restaurant Corp. v. Superior Court*. The *Brinker* decision triggered a briefing schedule pursuant  
13 to the *Fayerweather* Court's November 2011 Order to Show Cause Why The Matter Should  
14 Remain Certified. On May 25, 2012, Plaintiff Fayerweather submitted a motion for certification  
15 in response to the Court's Order to Show Cause. Defendants Comcast Corporation and Comcast  
16 of Contra Costa, Inc. have until July 16, 2012 to submit their opposition. Following Comcast's  
17 opposition, Plaintiff Fayerweather will have 45 days in which to submit reply briefing. Based on  
18 the schedule set by the *Fayerweather* Court, briefing on the Order to Show Cause should be  
19 completed no later than August 27, 2012. Should Comcast prevail on the Order to Show Cause  
20 Why The Matter Should Remain Certified, the *Fayerweather* Court will decertify the case.

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No trial date has been set in the matter.

Dated: June 19, 2012

SHEPHERD, FINKELMAN, MILLER &  
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/s/

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1 Dated: June 19, 2012

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2  
3  
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**ATTESTATION PURSUANT TO GENERAL ORDER 45**

I, Jennifer M. Martinez, am the ECF User whose identification and password are being used to file the **Joint Status Update of Related State Court Litigation**. In compliance with General Order 45.X.B., I hereby attest that each of the signatories above has concurred in this filing.

Dated: June 19, 2012

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

By:                     /s/                      
Jennifer M. Martinez

Attorneys for Defendant  
Comcast of California/Colorado/  
Washington I, Inc.